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| FORM PTO-1390<br>MODIFIED   | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | <div style="position: relative; height: 20px;"> <span style="position: absolute; top: -20px; right: 0;">Mail Stop PCT</span> <span style="position: absolute; top: 0; right: 0;">1497 Rec'd PCT/PTO 06 JAN 2006</span> </div> |
|   |   | ATTORNEY'S DOCKET NUMBER<br><b>4662-88</b>  |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A FILING UNDER 35 U.S.C. 371</b>   |   | U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)<br><br><b>10/554,294</b>   |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/NL2004/000284</b>   | INTERNATIONAL FILING DATE<br><b>28 April 2004</b>       | PRIORITY DATE CLAIMED<br><b>2 May 2003</b>  |
| TITLE OF INVENTION<br><b>PROCESS FOR THE PREPARATION OF (4-HYDROXY-6-OXO-TETRAHYDROPYRAN-2-YL) ACETONITRILE AND DERIVATIVES THEREOF</b>   |   |   |
| APPLICANT(S) FOR DO/EO/US<br><p style="text-align: center;"><b>MINK et al</b></p>   |   |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The U.S. has been elected (Article 31).</li> <li>5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (        pages specification, claims &amp; abstract (        claims),        sheets drawings).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (        pages specification, claims &amp; abstract (        claims),        sheets drawings,        page Certificate of Translation).</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has <b>NOT</b> expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9.             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>b. <input type="checkbox"/> Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (        page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).</li> </ol> </li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 To 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</li> <li>13.             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> A FIRST preliminary amendment.</li> <li>b. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> </ol> </li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. § 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input type="checkbox"/> Other items or information.</li> </ol> |   |   |

|  |  |              |   |   |  |  |    |                                    |    |
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| U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)<br><b>10/554,294</b>  |  |              | INTERNATIONAL APPLICATION NO.<br><b>PCT/NL2004/000284</b> |   |  | ATTORNEY'S DOCKET NUMBER<br><b>4662-88</b> |    |                                    |    |
| <input type="checkbox"/> The following fees are submitted:   |  |              |   |   |  |  |    |                                    |    |
| <b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):</b>  |  |              |   |   |  |  |    |                                    |    |
| 21. <input type="checkbox"/> Basic national fee .....  |  |              |   |   |  | \$300.00 (1631)/\$150.00 (2631)            | \$ |                                    |    |
| 22. <input type="checkbox"/> Examination Fee.....  |  |              |   |   |  | \$0 (1643/2643)                            | \$ |                                    |    |
| .....  |  |              |   |   |  | \$200.00 (1633)/\$100.00 (2633)            |    |                                    |    |
| 23. <input type="checkbox"/> Search Fee .....  |  |              |   |   |  | \$0 (1640/2640)                            |    |                                    |    |
| .....  |  |              |   |   |  | \$100 (1641)/\$50 (2641)                   |    |                                    |    |
| .....  |  |              |   |   |  | \$400 (1642)/\$200 (2642)                  |    |                                    |    |
| .....  |  |              |   |   |  | \$500.00 (1632)/\$250.00 (2632)            | \$ |                                    |    |
| <b>TOTAL OF ABOVE CALCULATIONS</b>   |  |              |   |   |  |  | \$ | 0.00                               |    |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.   |  |              |   |   |  |  |    |                                    |    |
| Total Sheets   |  | Extra Sheets |   | Number of each additional 50 or fraction thereof (round up to a whole number) |  | RATE                                       |    |                                    |    |
| 0 -100   |  | 0 /50 =      |   | 0.00  |  | \$0.00 (1681)<br>\$0.00 (2681)             |    |                                    |    |
| Surcharge of \$130.00 (1617)/\$65.00 (2617) for furnishing the oath or declaration later than <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).  |  |              |   |   |  |  |    |                                    |    |
| CLAIMS   |  | NUMBER FILED |   | # EXTRA   |  | RATE                                       |    |                                    |    |
| Total Claims   |  | 18           |   | minus 20 =  |  | 0 X  |    | \$50.00 (1615)/<br>\$25.00 (2615)  |    |
| Independent Claims   |  | 2            |   | minus 3 =   |  | 0 X  |    | \$200.00 (1614)<br>\$100.00 (2614) |    |
| MULTIPLE DEPENDENT CLAIMS(S) (if applicable)   |  |              |   |   |  | \$360.00 (1616)/\$180.00 (2616)            |    |                                    |    |
| Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254) |  |              |   |   |  |  |    |                                    |    |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.  |  |              |   |   |  |  |    |                                    |    |
| Processing fee of \$130.00 (1618), for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).  |  |              |   |   |  |  |    |                                    |    |
| <b>TOTAL NATIONAL FEE =</b>  |  |              |   |   |  |  |    |                                    |    |
| Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property   |  |              |   |   |  |  |    |                                    |    |
| Fee for Petition to Revive Unintentionally Abandoned Application; \$1500.00 (1453) / \$750.00 (2453)   |  |              |   |   |  |  |    |                                    |    |
| <b>TOTAL FEES ENCLOSED =</b>   |  |              |   |   |  |  |    |                                    |    |
|  |  |              |   |   |  |  |    | Amount to be refunded:             | \$ |
|  |  |              |   |   |  |  |    | Amount to be Charged:              | \$ |

- a. ☐ A check in the amount of \$0.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 14-1140 in the amount of \$\_\_\_\_\_ to cover the above fees.  
A duplicate copy of this form is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.
- d. ☐ **CREDIT CARD PAYMENT FORM ATTACHED.**
- e. ☐ The entire content of International Application No. **PCT/NL2004/000284** and any U.S. and foreign application(s) corresponding thereto, and \_\_\_\_\_, referred to in this application is/are hereby incorporated by reference in this application.

**NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status.**

**CORRESPONDENCE ADDRESS**

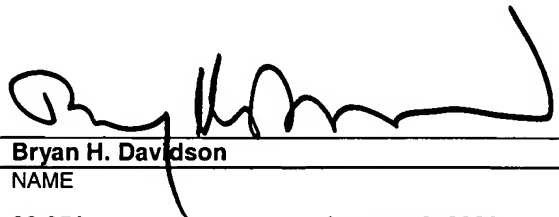
**Direct all correspondence to:**

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**23117**

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Telephone: (703) 816-4000  
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**Bryan H. Davidson**  
NAME

**30,251**

REGISTRATION NUMBER

**January 6, 2006**

Date